

Shaykh Sulaymān al-'Alwān(حفظه الله) was asked, what is the correct view with regards to the ruling on the Sāhir?

The Shaykh(حفظه الله) responded by saying: Al-Sihr in all of its forms is Harām in every Sharī'ah, and is agreed upon regarding its prohibition and the prohibition of learning it. And it goes against what the Messengers(عليهم الصلاة والسلام) came with, and contradicts the purpose of what the books[revelations from Allāh] were sent for.

And the majority of the scholars adopted the view that the Sāhir is a Kāfir, and it's compulsory upon the leader of the muslims to kill him.

Allāh(سبحانه وتعالى) said "It was not Sulaymān who disbelieved, but the devils disbelieved, teaching people Sihr(magic)"

and Allāh(سبحانه وتعالى) said "But [the two angels] do not teach anyone unless they say, "We are a trial, so do not disbelieve", i.e. [do not disbelieve] by doing Sihr, so it's evident that this is Kufr.

And most of the Fuqahā' from the Shāfi'iyyāh adopted the view that the Sāhir doesn't disbelieve, unless he believes the permissibility of Sihr or believes similar to what the people of Bābil believe, from getting closer to the 7 stars.

And this is disputable, and there's no evidence to condition "Belief" [for Sihr to be Kufr].

And what's correct is that the Sāhir is a Kāfir, whether he believes it's Harām or not, so simply performing Sihr is Kufr, and this is what's clear from the evidences, and there is nothing in the other texts which opposes this.

And when the description/title of Sihr is established upon an individual, he is to be killed, as that has been proven from a group of the Sahābah, however it's not allowed for anyone among the people to apply the Punishments without the command of the Sultān[Chief/Leader] or whoever holds his place, because applying the Punishments without the command of those in authority will result in corruption, and destabilisation for the safety[of the country], and the consideration of the Sultān will disappear.[Basically becomes chaos, everyone taking it into his own hands]